IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORIGINAL SIDE

WRIT PETITION NO. 2947 OF 2006

KARTIKEYA GUPTA ... PETITIONER.

VS.

THE STATE OF MAHARASHTRA ... RESPONDENTS.

MS. MEGHNA SEN I/B. KHAITAN &K JAYAKAR FOR THE PETITIONER.

A.A.KUMBHAKOLI, A.A.GENERAL WITH P.M. MOKASHI AGP FOR THE RESPONDENTS.

.....

CORAM : J.N.Patel and A.A.Sayed, JJ.

DATE : July 31, 2007.

.....

P.C.

1. Heard.

2. The learned Counsel for the Petitioner seeks adjournment in the matter but we are not inclined to grant the adjournment as on the last date also, adjournment was sought which was given by way of last chance.

3. This petition is filed by a candidate who has

failed to pass MHT-CET examination 2006, for seeking Order/Direction in the form of Mandamus, to the respondents to furnish him or disclose to the petitioner, the question paper for the MHT-CET Examination, 2006. In the affidavits in reply, filed on behalf of the State by Dr. Tayade, the Director of Medical Education and Research, M.S.Mumbai, it has been stated that the issues raised in this petition are already covered by two decisions of this Court, i.e. in Writ Petition No. 7098/2002 decided on 20th June, 2002 and Writ Petition No. 1446/2002, decided on 10th July, 2002, wherein Aurangabad Bench of this Court has dealt with the issue and found that as the Rules did not provide for such a right in a candidate and question papers cannot be supplied or provided to the candidate. We have gone through the Orders passed in the aforesaid two petitions, and we find no reason to take a different view of the matter. Besides that, the Petitioner is guilty of delay and latches in approaching this Court, we find that there is no vested right in the petitioner to seek a writ of the nature as against the respondents to forthwith furnish/disclose to the petitioner, the question papers of MH-CET examination.

. Consequently, the petition is dismissed with no Order as to costs.

.....

[J.N.Patel, J.]

[A.A.Sayed, J.]